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IDENTICAL LETTERS DATED 13 AUGUST 1998 FROM THE PERMANENT REPRESENTATIVE OF IRAQ TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL AND TO THE PRESIDENT OF THE SECURITY COUNCIL

On instructions from my Government, I have the honour to transmit to you herewith a letter dated 13 August 1998 from Mr. Tariq Aziz, Deputy Prime Minister of Iraq, setting forth the facts relating to the statements made in the letters dated 11 and 12 August 1998 from Mr. Mohamed ElBaradei, Director General of the International Atomic Energy Agency, and Mr. Richard Butler, Executive Chairman of the Special Commission, addressed to the President of the Security Council.

I should be grateful if you would have this letter and its annex circulated as a document of the Security Council.

(Signed) Nizar HAMDOON
Ambassador
Permanent Representative

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Annex

Identical letters dated 13 August 1998 from the Deputy Prime Minister of Iraq addressed to the Secretary-General and to the President of the Security Council

With reference to the letters dated 12 August 1998 from the Executive Chairman of the Special Commission and the Director General of the International Atomic Energy Agency (IAEA) addressed to the President of the Security Council, I should like to communicate the following facts:

1. When, on 29 October 1997, Iraq decided to prohibit American staff members of the Special Commission from participating in the Commission's activities in Iraq, the Executive Chairman refused to allow those activities to continue without the Americans. The Special Commission did not, therefore, engage in any monitoring activities after 30 October 1997. On 14 November 1997, after the Americans had been expelled from Iraq, the Executive Chairman decided to halt all Special Commission inspection and monitoring activities in Iraq. IAEA acted in solidarity with the Special Commission and also suspended all its activities. This situation continued until 20 November 1997.

2. After the Special Commission and IAEA had fully resumed their previous activities on 23 November 1997, both bodies carried out a comprehensive examination of the sites subject to monitoring and numerous other sites in order to ascertain whether Iraq had engaged in any prohibited activities in the intervening period. On 3 December 1997 IAEA informed the Secretary-General, by a letter from Mr. Mohamed ElBaradei, its Director General, that the Agency's assessment was that no prohibited activities had taken place during the period monitoring had been suspended (S/1997/960, annex). The preliminary assessment of the Special Commission, communicated to us by Butler on 19 January 1998 during the high-level talks in Baghdad, was that no prohibited activities had taken place during the period in question. This was confirmed in the final assessment that he communicated to us in March 1998 during the high-level talks held in Baghdad, and this same assessment was given in paragraph 112 of the semi-annual report dated 16 April 1998 (S/1998/332).

It should be recalled that during the time in question Iraq took precautionary measures against possible military aggression by the United States of America and moved certain items of equipment from their previously known locations to other sites.

3. At the present time, the Special Commission and IAEA are engaged in a full range of monitoring activities, and they involve 496 sites, as follows:

162 in the nuclear area;

175 (including 80 hospitals) in the biological area;

119 in the chemical area; and

40 in the missile area.

There are a further 70 sites (border crossings and customs posts) that are visited on a regular basis by the groups that monitor the import-export mechanism.

These sites were designated by the Special Commission and IAEA, and the Iraqi side did not interfere in this determination. The designation was made by the Special Commission and the Agency in a very rigid and very broad manner and on the basis of the most extreme hypotheses on the possible use of the sites for so-called prohibited activities.

4. A total of 5,522 visits were made by Special Commission and IAEA inspection teams to the sites designated for monitoring since the monitoring regime was established in 1994, and 1,416 aerial reconnaissance missions can be added to this figure. During the same period, visits to other sites not designated for monitoring totalled 301, that is to say some 3 or 4 per cent of all visits carried out by the Special Commission and IAEA.

This makes it clear that, in their letters of 12 August 1998, when the Agency and the Special Commission characterize their present activities in the monitoring area as limited they are being less than accurate. Clearly, the activities in which they can engage in the light of Iraq's decision of 5 August 1998 account for more than 94 per cent of all their customary activities.

5. The monitoring groups completed 49 visits between 6 and 12 August 1998, and a gamma-ray survey of 11 large areas was also carried out by the Nuclear Monitoring Group.

For these reasons, we regard the statements made in the letters from the Director General of IAEA and the Executive Chairman of the Special Commission as constituting a political position that has the goal of artificially escalating the situation while it coincides with an escalation against Iraq on the part of the United States Administration.

(Signed) Tariq AZIZ
Deputy Prime Minister